

Remarks

Reconsideration of pending claims 25-30 is respectfully requested.

In the Office action dated March 21, 2006, the Examiner objected to the drawings and rejected all pending claims under either or both 35 USC §§ 112, first paragraph and 103(a). The Examiner's various objections and rejections will be discussed below in the order appearing in the Office action.

Drawing Objection

The Examiner first objected to the drawings in that there was no illustration of "each sub-mailbox having a unique ID number" as defined in claim 30. In response, applicant has amended claim 30 to define each sub-mailbox as having a unique indicator. FIG. 5 clearly illustrates CPE 5 as including a set of three "unique" indicators 9a, 9b and 9c. Based on this amendment to claim 30, applicant believes that the Examiner's objection to the drawings has been fully met and overcome.

35 USC § 112, first paragraph Rejection - Claim 30

The Examiner first rejected claim 30 under 35 USC 112, first paragraph as failing to comply with the enablement requirement. In response, applicant has amended claim 30, in the manner noted above, to now use the term "indicator", which is illustrated in the drawing and discussed in the specification. With this amendment, applicant believes that claim 30 is now in condition for allowance

35 USC § 103(a) Rejection - Claims 25-26

Claims 25 and 26 were rejected by the Examiner under 35 USC 103(a) as being unpatentable over US Patent 6,215,859 (Hanson), in view of US Patent 5,995,594 (Shaffer et al.). The Examiner cited Hanson as teaching the utilization of a "voicemail server" in a network, with Shafer teaching the use of a message notification server. The Examiner then concluded that "it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the improvement of Hanson to include a message notification server as taught by Shaffer”.

In response, applicant asserts that Hanson discloses an arrangement where an individual may leave a message for a plurality of different recipients, not an arrangement where an individual may leave a message for a “partition” within a mailbox, the partition having a “unique network ID”. Without this teaching, it is asserted that the combination of Hanson and Shaffer et al. cannot be found to render obvious the subject matter of claims 25 and 26.

Applicant therefore respectfully requests the Examiner to reconsider this rejection and find claims 25 and 26 to be in condition for allowance.

35 USC § 103(a) Rejection - Claim 28

The Examiner next rejected claim 28 under 35 USC 103(a) as being obvious over US Patent 6,396,513 (Helfman et al.) in view of Shaffer et al. In response, applicant has amended claim 28 to include the utilization of a “caller ID” number as the “unique” number associated with the status of messages in the network voice mailbox. There is no disclosure or suggestion of such a use for caller-ID in either Helfman et al. or Shaffer et al. Applicant thus respectfully requests the Examiner to reconsider this rejection and find claim 28 to be in condition for allowance.

35 USC § 103(a) Rejection - Claim 29

Claim 29 was next rejected by the Examiner under 35 USC 103(a) as being unpatentable over Helfman et al. in view of Shaffer et al. (as applied to claim 28), in further view of US Patent 6,032,039 (Kaplan). Regardless of the teaching of Kaplan, applicant asserts that for the reasons discussed above, the combination of Helfman et al. and Shaffer et al. fails to disclose or suggest the utilization of “caller ID” as a vehicle for message status information. Thus, applicant respectfully requests the Examiner to also reconsider this rejection and find claim 29 (as depending from claim 28) to be in condition for allowance.

35 USC § 103(a) Rejection - Claim 30

The Examiner rejected claim 30 under 35 USC 103(a) as being unpatentable over Helfman et al. in view of Shaffer et al. (as applied to claim 28), in further view of US Patent Application 2002/0015478 (Fujisawa et al.). Regardless of the teaching of Fujisawa et al., however, applicant asserts that for the reasons discussed above, the combination of Helfman et al. and Shaffer et al. fails to disclose or suggest the utilization of “caller ID” as a vehicle for message status information. Thus, applicant respectfully requests the Examiner to also reconsider this rejection and find claim 30 (as depending from claim 28) to be in condition for allowance.

35 USC § 103(a) Rejection - Claims 28 and 29

Claims 28 and 29 were next rejected by the Examiner under 35 USC 103(a) as being unpatentable over Kaplan in view of Shaffer et al. Neither reference discloses or suggests the use of “caller ID” as a means for providing voicemail message status information. Claims 28 and 29 have been amended to include this limitation. Thus, applicant asserts that independent claim 28, as well as claim 29 which depends therefrom, are now in condition for allowance over the combination of Kaplan and Shaffer et al. Applicant respectfully requests the Examiner to reconsider this rejection and find claims 28 and 29 to be in condition for allowance.

35 USC § 103(a) Rejection - Claim 30

The Examiner rejected claim 30 under 35 USC 103(a) as being unpatentable over Kaplan in view of Shaffer et al. (as applied to claim 28), in further view of US Patent 5,748,709 (Sheerin). Regardless of the teaching Sheerin, however, applicant asserts that for the reasons discussed above, the combination of Kaplan and Shaffer et al. fails to disclose or suggest the utilization of “caller ID” as a vehicle for message status information. Thus, applicant respectfully requests the Examiner to also reconsider this rejection and find claim 30 (as depending from claim 28) to be in condition for allowance.


Double Patenting Rejection

Lastly, the Examiner rejected claims 28 and 29 on the ground of nonstatutory double patenting over claims 31 and 33 of US Patent 7,010,100. In response, applicant is submitting with this Amendment a "Terminal Disclaimer" associated with the '100 patent. Applicant believes that this Terminal Disclaimer is sufficient to overcome the Examiner's double patenting rejection.

In summary, applicant has amended certain ones of the claims to more accurately define the subject matter of the present invention. Applicant believes that the case, in its present form, is now in condition for allowance and respectfully requests an early and favorable response from the Examiner in that regard. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

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